

Notice of Allowability

Application No.

09/593,677

Examiner

Michael J. Simitoski

Applicant(s)

KATTA ET AL.

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to after final amendment of 5/12/2005.
2. ☒ The allowed claim(s) is/are 4-7, 24, 25, 31-37, 43-46, 53, 60, 63, 64, 67, 68, 73, 74, 77 and 85-89.
3. ☒ The drawings filed on 14 June 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Andrew Caldwell

ANDREW CALDWELL
ADVISORY PATENT EXAMINER

DETAILED ACTION

1. The response of 5/12/2005 was received and considered.
2. Claims 4-7, 24-25, 31-37, 43-46, 53, 60, 63-64, 67-68, 73-74, 77 and 85-89 are pending.
3. The objections to the specification, rejections of claims 1-84 under 35 U.S.C. §112 ¶1 and rejections of claim 77 under 35 U.S.C. §112 ¶2, as set forth in the previous Office Action, are withdrawn in light of Applicant's amendments to the claims and Applicant's remarks on p. 19, ¶1 – p. 20, ¶4.
4. The Examiner amendment to claims 43, 67 & 88 appear on page 2.
5. The Examiner's reasons for allowance appear on page 3.

EXAMINER'S AMENDMENT

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Zoetewey (949-253-9409) on 5/26/2005.

Amend the claims as follows:

Regarding claim 43:

Replace line 6 (which currently reads "including information specifying a part on which cryptographic processing is to") with "including information specifying a certain part on which cryptographic processing is to".

Regarding claim 67:

Replace line 6 (which currently reads "including information specifying a part on which cryptographic processing is to") with "including information specifying a certain part on which cryptographic processing is to".

Regarding claim 88:

Replace line 5 (which currently reads "including information specifying a part on which cryptographic processing is to") with "including information specifying a certain part on which cryptographic processing is to".

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7. The following is an examiner's statement of reasons for allowance: In light of applicant's amendments and arguments stated on p. 20, ¶5 – p. 22, ¶1, the prior art of record fails to teach or suggest detecting cryptographic information including bit pattern information showing a certain bit sequence where the part specifying means detects, in the content data, bit data that matches the bit sequence shown in the bit pattern information, and uses a location of the bit data as a basis for specifying the certain part, in combination with the other limitations of the claims. The prior art relied upon teaches detecting, in the content data, bit data that corresponds to the bit sequence shown in the bit pattern information (using the definition on p. 2 of the cited dictionary.com reference "to be a close counterpart; correspond"), rather than applicant's intended detection of the identical bit pattern information in the content data (where match indicates "to be exactly like", from p. 2 of the cited dictionary.com reference) and as indicated by applicant on p. 21, ¶1 of the response to final rejection.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Simitoski whose telephone number is (571) 272-3841. The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m.. The examiner can also be reached on alternate Fridays from 6:45 a.m. - 3:15 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached at (571) 272-3838.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:


(703)746-7239 (for formal communications intended for entry)

Or:

(571)273-3841 (Examiner's fax, for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MJS
May 24, 2005


ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER